

REMARKS/ARGUMENTS

These remarks are made in response to the Office Action of March 10, 2008 (Office Action). As this response is timely filed within the 3-month shortened statutory period, no fee is believed due. However, the Examiner is expressly authorized to charge any deficiencies to Deposit Account No. 50-0951.

Claims Rejections

Claims 6 and 13 were objected to because of informalities.

Appropriate correction has been made.

Claims Rejections – 35 USC §§ 102 and 103

In the Office Action, Claims 1-5, 13, 17-21, and 29 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Published Patent Application 2003/0046304 to Peskin, *et al.* (hereinafter Peskin). Claims 6-8 and 22-24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Peskin in view of U.S. Patent 7,139,722 to Perrella, *et al.* (hereinafter Perrella). Claim 9 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Peskin in view of U.S. Published Patent Application 2004/0111309 to Matheson, *et al.* (hereinafter Matheson). Claims 10-12, 14, 15, and 26-28 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Peskin in view of U.S. Published Patent Application 2004/0220768 to Klein (hereinafter Klein). Claim 16 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Peskin in view of U.S. Published Patent Application 2001/0037229 to Jacobs, *et al.* (hereinafter Jacobs).

Although Applicants respectfully disagree with the rejections, Applicants have amended the claims so as to expedite prosecution of the present application. However, such amendments should not be interpreted as the surrender of any subject matter, and

Applicants expressly reserve the right to present the original version of any of the amended claims in any future divisional or continuation applications from the present application.

Applicants have amended independent Claims 1, 13, and 17 to further emphasize certain aspects of the invention. As discussed herein, the claim amendments are fully supported throughout the Specification. No new matter has been introduced by the claim amendments. Independent Claim 29 has been cancelled.

Aspects of Applicants' Invention

It may be helpful to reiterate certain aspects of Applicants' invention prior to addressing the cited references. One embodiment of the invention, as typified by amended Claim 1, is a method for managing travel time of meeting participants within a scheduling application.

The method can include initializing the scheduling application; identifying a meeting and meeting participants, a meeting location and a meeting time for the meeting; determining an origination location for at least one meeting participant; automatically computing a travel time for said participant based at least in part upon said meeting location and said origination location; upon receiving a travel condition, adjusting the travel time to account for the received travel condition; calculating a suggested departure time based on the travel time; and presenting a meeting reminder to the meeting participant at some time before the suggested departure time. See, e.g., Specification, paragraphs [0037] to [0039].

The Claims Define Over The Prior Art

Conventional scheduling applications fail to provide meeting participants or meeting coordinators with travel time management and calculation tools that could allay

meeting delays relating to meeting participant travel time. See Specification, paragraph [0003]. The present invention provides a method and system for accounting for travel time within a scheduling application, which can automatically calculate travel times for meeting participants based upon originating locations and meeting destination locations. The travel times can be used to calculate suggested departure times, which can be presented to meeting participants. Further, the method and system of the present invention can receive travel condition input, such as traffic and weather data, and can dynamically adjust travel time computations in an appropriate fashion to account for the received travel conditions. See Specification, paragraph [0004].

Peskin discloses a method and system for augmenting an event-based appointment in an electronic scheduler in real-time. The method includes retrieving appointment data associated with an appointment. The appointment data includes an event trigger and one or more event actions depending on the event trigger. The method also includes acquiring event-related information based on the event trigger, where the event-related information is capable of determining if the event trigger is satisfied. The method further includes determining if the acquired event-related information satisfies the event trigger; and in response to determining that the event trigger is satisfied, performing the one or more event actions. See the Abstract.

In order to solve the problem of the conventional electronic organizers that only permit their users to make schedule entries based on time, the method and system of Peskin provides event-based appointment scheduling functions. The electronic scheduler of Peskin provides its user the ability to schedule activities that are not based on time. The electronic organizer enables its user to create an entry (event-based appointment) that is based on an event, where the specified event or events operate as the appointment or schedule activity trigger. The electronic scheduler acquires data and information based on the scheduled event and augments the event-based appointment using the acquired

information. For example, a user can schedule an event reminder entry such as "the next time I see Bob, remind him to return my video." The electronic scheduler can then use proximity or location information to alert the user about this reminder the next time "Bob" is near. For example, Bob may be carrying his own electronic scheduler, or other portable electronic device, which is capable of detection and identification by the user's electronic scheduler. This allows the user's electronic scheduler to determine when Bob and, more particularly, Bob's electronic scheduler is near. Thus, the electronic scheduler provides a desirable function to its user. See paragraph [0026].

Clearly, the subject matter of Peskin has nothing to do with the subject matter of the present invention, namely managing travel time of meeting participants within a scheduling application. More specifically, Peskin does not disclose automatically computing a travel time for a meeting participant based at least in part upon a meeting location and an origination location associated with the meeting participant; upon receiving a travel condition, adjusting the travel time to account for the received travel condition; calculating a suggested departure time based on the travel time; or presenting a meeting reminder to the meeting participant at some time before the suggested departure time, as recited in independent Claims 1, 13, and 17 of the instant application.

The other cited references do not make up for the deficiencies of Peskin.

Accordingly, the cited references, alone or in combination, fail to disclose or suggest each and every element of Claims 1, 13, and 17, as amended. Applicants therefore respectfully submit that amended Claims 1, 13, and 17 define over the prior art. Furthermore, as each of the remaining claims depends from Claim 1, 13, or 17 while reciting additional features, Applicants further respectfully submit that the remaining claims likewise define over the prior art.

Applicants thus respectfully request that the claim rejections under 35 U.S.C. §§ 102 & 103 be withdrawn.

CONCLUSION

Applicants believe that this application is now in full condition for allowance, which action is respectfully requested. Applicants request that the Examiner call the undersigned if clarification is needed on any matter within this Amendment, or if the Examiner believes a telephone interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,

AKERMAN SENTERFITT

Date: June 10, 2008

/Richard A. Hinson/

Gregory A. Nelson, Registration No. 30,577

Richard A. Hinson, Registration No. 47,652

Yonghong Chen, Registration No. 56,150

Customer No. 40987

Post Office Box 3188

West Palm Beach, FL 33402-3188

Telephone: (561) 653-5000